

07-12-01

A
+

Please type a plus sign (+) inside this box →



PTO/SB/05 (08-00) (modified)

Approved for use through 9/30/2001, OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

**NEW UTILITY
PATENT APPLICATION
TRANSMITTAL**

(only for new nonprovisional applications under

37 CFR 1.53(b))

Attorney Docket Number 18235-05005

First Named Inventor Daniel L. Moore

Title Apparatus and Method to Synchronize
Multimedia Playback Over a Network
Using Out-Of-Band Signaling

Express Mail Label No. EL566200955US

APPLICATION ELEMENTS

1. ☒ Fee Transmittal Form (in duplicate)
2. ☐ Applicant claims small entity status.
See 37 CFR 1.27
3. ☒ Specification Total Pages
(preferred arrangement set forth below)
 - Descriptive Title of the Invention
 - Cross Reference(s) to Related Case(s)
 - Statement Regarding Fed sponsored R & D
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawing(s)
 - Detailed Description
 - Claim or Claims
 - Abstract of the Disclosure
4. ☒ Informal Drawing(s) (35 Total Sheets
U.S.C. 113)
5. Oath or Declaration
 - a. ☒ New Declaration Total Pages
☒ Executed original
 - b. ☐ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
 - i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s)
named in the prior application, see 37 CFR
1.63(d)(2) and 1.33(b).
6. ☒ Application Data Sheet. See 37 CFR 1.76

ACCOMPANYING APPLICATION PARTS

7. ☒ Assignment Papers (cover sheet & document(s))
8. ☐ Certified Copy of Priority Document(s) (if foreign priority
is claimed)
9. ☒ Power of Attorney or Authorization of Agent
10. ☐ 37 CFR 3.73(b) Statement
11. ☐ Preliminary Amendment
12. ☐ Information Disclosure Statement & PTO-1449
☐ Copies of IDS Citation(s)
13. ☒ Nonpublication Request under 35 U.S.C. 122
(b)(2)(B)(i). Applicant must attach form
PTO/SB/35 or its equivalent
14. ☒ Return Postcard
15. ☐
16. ☐
17. ☐

ADDRESS TO:Box Patent Application
Commissioner for Patents
Washington, D.C. 2023118. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information below and in a preliminary amendment or in an Application Data Sheet under 37 CFR 1.76:☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No: ____/____

Prior application information: Examiner: _____ Group/Art Unit: _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuing or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.**19. CORRESPONDENCE ADDRESS**☒ Customer Number and Bar Code
Label

00758

Name (Print/Type)	Martin S.C. Loui	Registration No. (Attorney/Agent)	43,411
Signature		Date	July 10, 2001

18235/05005/DOCS/1188890.1

07/10/01
J1058 U.S. PTO

05903040-071001

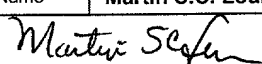
07/10/01
J1058 U.S. PTO

0002/PTO(modified) Rev. 10/2000 <div style="text-align: center;">FEE TRANSMITTAL</div> <div style="text-align: center;">TOTAL AMOUNT OF PAYMENT</div> Subtotal (1) + Subtotal (2) + Subtotal (3) = (\$1522.00)	<div style="text-align: center;">Complete if Known</div> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td>Application Number</td><td>Not yet known</td></tr> <tr><td>Filing Date</td><td>July 10, 2001</td></tr> <tr><td>First Named Inventor</td><td>Daniel L. Moore</td></tr> <tr><td>Group Art Unit</td><td>Not yet known</td></tr> <tr><td>Examiner Name</td><td>Not yet known</td></tr> <tr><td>Attorney Docket Number</td><td>18235-05005</td></tr> </table>	Application Number	Not yet known	Filing Date	July 10, 2001	First Named Inventor	Daniel L. Moore	Group Art Unit	Not yet known	Examiner Name	Not yet known	Attorney Docket Number	18235-05005
Application Number	Not yet known												
Filing Date	July 10, 2001												
First Named Inventor	Daniel L. Moore												
Group Art Unit	Not yet known												
Examiner Name	Not yet known												
Attorney Docket Number	18235-05005												

METHOD OF PAYMENT	FEE CALCULATION (continued)																																																																																																																																																																																		
1. The Commissioner is hereby authorized to: <input type="checkbox"/> Charge the indicated fees to the below mentioned deposit account. <input checked="" type="checkbox"/> Charge any additional fee required under 37 CFR 1.16 - 1.21 or credit any over payments to the below mentioned deposit account † <input type="checkbox"/> Applicant claims small entity status See 37 CFR 1.27 Deposit Account Number: 19-2555 Deposit Account Name: FENWICK & WEST LLP A Duplicate Copy of this authorization is attached 2. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Other FEE CALCULATION (fees effective 10/01/2000) <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th>Large Entity Fee Code/Fee</th> <th>Small Entity Fee Code/Fee</th> <th>Fee Description</th> <th>Fee Due</th> </tr> <tr><td>101/\$710</td><td>201/\$355</td><td>Utility Filing</td><td>710</td></tr> <tr><td>106/\$320</td><td>206/\$160</td><td>Design Filing</td><td></td></tr> <tr><td>108/\$710</td><td>208/\$355</td><td>Reissue</td><td></td></tr> <tr><td>114/\$150</td><td>214/\$75</td><td>Provisional Filing</td><td></td></tr> <tr><td colspan="3">SUBTOTAL (1)</td><td>(\$) 710</td></tr> </table> 2. CLAIMS <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th>Large Entity Fee Code/Fee</th> <th>Small Entity Fee Code/Fee</th> <th>Fee Description</th> </tr> <tr><td>103/\$18</td><td>203/\$9</td><td>Claims in excess of 20</td></tr> <tr><td>102/\$80</td><td>202/\$40</td><td>Independent claims in excess of 3</td></tr> <tr><td>104/\$270</td><td>204/\$135</td><td>Multiple dependent claim</td></tr> <tr><td>109/\$80</td><td>209/\$40</td><td>Reissue independent claims over original patent</td></tr> <tr><td>110/\$18</td><td>210/\$9</td><td>Reissue claims in excess of 20 and over original patent</td></tr> </table>	Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	Fee Description	Fee Due	101/\$710	201/\$355	Utility Filing	710	106/\$320	206/\$160	Design Filing		108/\$710	208/\$355	Reissue		114/\$150	214/\$75	Provisional Filing		SUBTOTAL (1)			(\$) 710	Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	Fee Description	103/\$18	203/\$9	Claims in excess of 20	102/\$80	202/\$40	Independent claims in excess of 3	104/\$270	204/\$135	Multiple dependent claim	109/\$80	209/\$40	Reissue independent claims over original patent	110/\$18	210/\$9	Reissue claims in excess of 20 and over original patent	3. ADDITIONAL FEES <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th>Large Entity Fee Code/Fee</th> <th>Small Entity Fee Code/Fee</th> <th>Fee Description</th> <th>Fee Due</th> </tr> <tr><td>105/\$130</td><td>205/\$65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>127/\$50</td><td>227/\$25</td><td>Surcharge-late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>147/\$2,520</td><td>147/\$2,520</td><td>For filing a request for reexamination</td><td></td></tr> <tr><td>115/\$110</td><td>215/\$55</td><td>Extension for response within first month†</td><td></td></tr> <tr><td>116/\$390</td><td>216/\$195</td><td>Extension for response within second month†</td><td></td></tr> <tr><td>117/\$890</td><td>217/\$445</td><td>Extension for response within third month†</td><td></td></tr> <tr><td>118/\$1,390</td><td>218/\$695</td><td>Extension for response within fourth month†</td><td></td></tr> <tr><td>128/\$1,890</td><td>228/\$945</td><td>Extension for response within fifth month†</td><td></td></tr> <tr><td>119/\$310</td><td>219/\$155</td><td>Notice of Appeal</td><td></td></tr> <tr><td>141/\$1,240</td><td>241/\$620</td><td>Petition to revive unintentionally abandoned application</td><td></td></tr> <tr><td>142/\$1,240</td><td>242/\$620</td><td>Utility Issue Fee (Or Reissue)</td><td></td></tr> <tr><td>143/\$440</td><td>243/\$220</td><td>Design Issue Fee</td><td></td></tr> <tr><td>122/\$130</td><td>122/\$130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>126/\$180</td><td>126/\$180</td><td>Submission of Information Disclosure Statement</td><td></td></tr> <tr><td>179/\$710</td><td>279/\$355</td><td>Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>581/\$40</td><td>581/\$40</td><td>Recording each patent assignment per property (times number of properties)</td><td>40</td></tr> <tr><td>146/\$710</td><td>246/\$355</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr> <tr><td>149/\$710</td><td>249/\$355</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr> <tr><td colspan="3">Other fee (specify):</td><td></td></tr> <tr><td colspan="3">Other fee (specify):</td><td></td></tr> <tr><td colspan="3">SUBTOTAL (3)</td><td>(\$)40</td></tr> </table> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="2">(Col. 1)</th> <th colspan="2">(Col. 2)</th> <th colspan="2">(Col. 3)</th> <th colspan="2"></th> </tr> <tr> <td>For</td> <td>No. of Existing Claims</td> <td></td> <td>Highest No. Previously Paid For</td> <td></td> <td>Extra**</td> <td>Fee</td> <td>Fee Due</td> </tr> <tr> <td>TOTAL</td> <td>54</td> <td>minus*</td> <td>20 or 34</td> <td>=</td> <td>34</td> <td>x 18</td> <td>= 612</td> </tr> <tr> <td>INDEP</td> <td>5</td> <td>minus*</td> <td>3 or 2</td> <td>=</td> <td>2</td> <td>x 80</td> <td>= 160</td> </tr> <tr> <td colspan="8">[] First presentation of multiple dependent claim</td> </tr> <tr> <td colspan="6">SUBTOTAL (2)</td> <td colspan="2">(\$)772</td> </tr> </table>	Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	Fee Description	Fee Due	105/\$130	205/\$65	Surcharge - late filing fee or oath		127/\$50	227/\$25	Surcharge-late provisional filing fee or cover sheet		147/\$2,520	147/\$2,520	For filing a request for reexamination		115/\$110	215/\$55	Extension for response within first month†		116/\$390	216/\$195	Extension for response within second month†		117/\$890	217/\$445	Extension for response within third month†		118/\$1,390	218/\$695	Extension for response within fourth month†		128/\$1,890	228/\$945	Extension for response within fifth month†		119/\$310	219/\$155	Notice of Appeal		141/\$1,240	241/\$620	Petition to revive unintentionally abandoned application		142/\$1,240	242/\$620	Utility Issue Fee (Or Reissue)		143/\$440	243/\$220	Design Issue Fee		122/\$130	122/\$130	Petitions to the Commissioner		126/\$180	126/\$180	Submission of Information Disclosure Statement		179/\$710	279/\$355	Request for Continued Examination (RCE)		581/\$40	581/\$40	Recording each patent assignment per property (times number of properties)	40	146/\$710	246/\$355	Filing a submission after final rejection (37 CFR 1.129(a))		149/\$710	249/\$355	For each additional invention to be examined (37 CFR 1.129(b))		Other fee (specify):				Other fee (specify):				SUBTOTAL (3)			(\$)40	(Col. 1)		(Col. 2)		(Col. 3)				For	No. of Existing Claims		Highest No. Previously Paid For		Extra**	Fee	Fee Due	TOTAL	54	minus*	20 or 34	=	34	x 18	= 612	INDEP	5	minus*	3 or 2	=	2	x 80	= 160	[] First presentation of multiple dependent claim								SUBTOTAL (2)						(\$)772	
Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	Fee Description	Fee Due																																																																																																																																																																																
101/\$710	201/\$355	Utility Filing	710																																																																																																																																																																																
106/\$320	206/\$160	Design Filing																																																																																																																																																																																	
108/\$710	208/\$355	Reissue																																																																																																																																																																																	
114/\$150	214/\$75	Provisional Filing																																																																																																																																																																																	
SUBTOTAL (1)			(\$) 710																																																																																																																																																																																
Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	Fee Description																																																																																																																																																																																	
103/\$18	203/\$9	Claims in excess of 20																																																																																																																																																																																	
102/\$80	202/\$40	Independent claims in excess of 3																																																																																																																																																																																	
104/\$270	204/\$135	Multiple dependent claim																																																																																																																																																																																	
109/\$80	209/\$40	Reissue independent claims over original patent																																																																																																																																																																																	
110/\$18	210/\$9	Reissue claims in excess of 20 and over original patent																																																																																																																																																																																	
Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	Fee Description	Fee Due																																																																																																																																																																																
105/\$130	205/\$65	Surcharge - late filing fee or oath																																																																																																																																																																																	
127/\$50	227/\$25	Surcharge-late provisional filing fee or cover sheet																																																																																																																																																																																	
147/\$2,520	147/\$2,520	For filing a request for reexamination																																																																																																																																																																																	
115/\$110	215/\$55	Extension for response within first month†																																																																																																																																																																																	
116/\$390	216/\$195	Extension for response within second month†																																																																																																																																																																																	
117/\$890	217/\$445	Extension for response within third month†																																																																																																																																																																																	
118/\$1,390	218/\$695	Extension for response within fourth month†																																																																																																																																																																																	
128/\$1,890	228/\$945	Extension for response within fifth month†																																																																																																																																																																																	
119/\$310	219/\$155	Notice of Appeal																																																																																																																																																																																	
141/\$1,240	241/\$620	Petition to revive unintentionally abandoned application																																																																																																																																																																																	
142/\$1,240	242/\$620	Utility Issue Fee (Or Reissue)																																																																																																																																																																																	
143/\$440	243/\$220	Design Issue Fee																																																																																																																																																																																	
122/\$130	122/\$130	Petitions to the Commissioner																																																																																																																																																																																	
126/\$180	126/\$180	Submission of Information Disclosure Statement																																																																																																																																																																																	
179/\$710	279/\$355	Request for Continued Examination (RCE)																																																																																																																																																																																	
581/\$40	581/\$40	Recording each patent assignment per property (times number of properties)	40																																																																																																																																																																																
146/\$710	246/\$355	Filing a submission after final rejection (37 CFR 1.129(a))																																																																																																																																																																																	
149/\$710	249/\$355	For each additional invention to be examined (37 CFR 1.129(b))																																																																																																																																																																																	
Other fee (specify):																																																																																																																																																																																			
Other fee (specify):																																																																																																																																																																																			
SUBTOTAL (3)			(\$)40																																																																																																																																																																																
(Col. 1)		(Col. 2)		(Col. 3)																																																																																																																																																																															
For	No. of Existing Claims		Highest No. Previously Paid For		Extra**	Fee	Fee Due																																																																																																																																																																												
TOTAL	54	minus*	20 or 34	=	34	x 18	= 612																																																																																																																																																																												
INDEP	5	minus*	3 or 2	=	2	x 80	= 160																																																																																																																																																																												
[] First presentation of multiple dependent claim																																																																																																																																																																																			
SUBTOTAL (2)						(\$)772																																																																																																																																																																													

* Subtract the greater number of Col. 2

** If the difference between Col. 1 and Col. 2 is less than zero, then enter "0" in Col. 3

SUBMITTED BY		Complete (if applicable)	
Typed or Printed Name	Martin S.C. Loui	Reg. Number	43,411
Signature		Date	July 10, 2001

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)	First Named Inventor		Daniel L. Moore
	Title	Apparatus and Method to Synchronize Multimedia Playback Over a Network Using Out- Of-Band Signaling	
	Atty Docket Number		18235-05005

I hereby certify that the invention disclosed in the attached application **has not been and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

July 10, 2001

Date



Signature

Martin S.C. Loui/Reg. No. 43,411

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

18235/05005/DOCS/1188946.1